

Form 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	JUL 30 2007 TRADEMARK OFFICE	Docket Number: 1023-361US01	Application Number: 10/825,965
	Applicant: Kenneth T. Heruth; Keith A. Miesel		
	Filing Date: April 15, 2004	Group Art Unit: 3766	
	Examiner Name: Brian T. Gedeon		

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Issue/Document Publication Date	Name	Filing Date If Appropriate
Btz	5,469,861	11/28/1995	Piscopo et al.	
Btz	2005/0240086 A1	10/27/2005	Akay	/

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Publication Date	Country	Translation	
				Yes	No
Btz	WO 99/013765	03/25/1999	PCT		
Btz	WO 03/024325	03/27/2003	PCT		

OTHER DOCUMENTS (Including Authors, Title of Item, Page(s), Vol/Issue No., Publisher, Place of Publication)

EXAMINER

Brian Gedeon

Date Considered

8/17/07

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

JUL 08 2007

Form 1449*

**INFORMATION DISCLOSURE
STATEMENT****IN AN APPLICATION**

(Use several sheets if necessary)

Docket Number:

2023-361US01

Application Number:

10/825,965

Applicant:

Kenneth T. Heruth; Keith A. Miesel

Filing Date:

April 15, 2004

Group Art Unit:

3766

Examiner Name:

Brian T. Gedeon

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Issue/Document Publication Date	Name	Filing Date If Appropriate
Btz	6,881,192 B1	04/19/2005	Park	
↑	5,275,159	01/04/1994	Griebel	
	5,904,708	05/18/1999	Goedeke	
	6,416,471 B1	07/09/2002	Kumar et al.	
	2005/0215847 A1	09/29/2005	Heruth et al.	
	2005/0240242 A1	10/27/2005	DiLorenzo	
	7,162,304 B1	01/09/2007	Bradley	
	2005/0119703 A1	06/02/2005	DiLorenzo	
	6,819,956 B2	11/16/2004	DiLorenzo	
	6,366,813 B1	04/02/2002	DiLorenzo	
	7,209,787 B2	04/24/2007	DiLorenzo	
	2005/0021104 A1	01/27/2005	DiLorenzo	
	2002/0177882 A1	11/28/2002	DiLorenzo	
	2005/0021103 A1	01/27/2005	DiLorenzo	
	2005/0222626 A1	10/06/2005	DiLorenzo	
	2006/0224191 A1	10/05/2006	DiLorenzo	
	2006/0293720 A1	12/28/2006	DiLorenzo	
	2007/0073355 A1	03/29/2007	DiLorenzo	
↓	2007/0142862 A1	06/21/2007	DiLorenzo	
Btz	2005/0245790 A1	11/03/2005	Bergfalk et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Publication Date	Country	Translation	
				Yes	No
Btz	198 31 109	01/13/2000	Germany	abstract	
Btz	1 322 227 B1	12/28/2005	EP		

OTHER DOCUMENTS (Including Authors, Title of Item, Page(s), Vol/Issue No., Publisher, Place of Publication)

Btz	Amzica, "Physiology of Sleep and Wakefulness as it Relates to the Physiology of Epilepsy," Journal of Clinical Neurophysiology, American Clinical Neurophysiology Society, 19(6), pp. 488-503, (2002).
Btz	Dinner, "Effect of Sleep on Epilepsy," Journal of Clinical Neurophysiology, American Clinical Neurophysiology Society, 19(6), pp. 504-513, (2002).

FTB	Foldvary-Schaefer, "Sleep Complaints and Epilepsy: The Role of Seizures, Antiepileptic Drugs and Sleep Disorders," Journal of Clinical Neurophysiology, American Clinical Neurophysiology Society, 19(6), pp. 514-521, (2002).
	Mendez et al. "Interactions Between Sleep and Epilepsy," Journal of Clinical Neurophysiology, American Clinical Neurophysiology Society, 18(2), pp. 106-127, (2001).
	Kerr et al., "Analysis of the sit-stand-sit movement cycle in normal subjects," Clinical Biomechanics, Vol. 12, No. 4, pp. 236-245, (1997).
	Aminian et al. "Physical Activity Monitoring Based on Accelerometry: Validation and Comparison with Video Observation," Medical & Biological Engineering & Computing, vol 37, no. 2, pp. 304-308 (1999).
	Medcare – A Global Leader in Sleep Diagnostics, Embletta Recording System, http://www.medcare.com/products/diagnostic/embletta/ , 2 pgs. January 31, 2005.
	Medcare – A Global Leader in Sleep Diagnostics, Somnologica for Embletta, http://www.medcare.com/products/diagnostic/embletta/SomnoEmbletta/index.asp , 1 pg. January 31, 2005.
	MAP Medizin-Technologie GmbH, Poly-MESAM®, http://195.244.124.130/map/de/eng/map_med.nsf/cmsall/70564A3FCBE4188AC1256EF4.. , 4 pgs. January 31, 2005.
	Merlin, http://www.aha.ru/~pir/english/merlin/ , 4 pgs. January 31, 2005.
	Sleep Solutions – PR Newswire: Sleep Solutions Introduces NovaSom™ QSG™ for PSG..., http://www.sleep-solutions.com/press_room/novasom.htm , 2 pgs. January 31, 2005.
	Itamar Medical Information, http://itamar-medical.com/content.asp?id-id=31 , 2 pgs. January 31, 2005.
	Criticare System Inc., -504DX Portable Pulse Oximeter, http://www.csiusa.com/504dx.html , 4 pgs. January 31, 2005.
	Snap® Laboratories, Product Fact Sheet, http://www.snaplab.com/mp_fact.htm , 2 pgs. January 31, 2005.
	Sleep Strip & Bite Strip, http://www.quietsleep.com/snoringapnea/sleepstrip.htm , 8 pgs. January 31, 2005.
	"Bitestrip Flier," downloaded from Internet Archive of www.quietsleep.com dated January 29, 2005 http://web.archive.org/web/20041124080003/www.quietsleep.com/pdf/Bitestrip+Flier.pdf .
FTB	"Bilateral Comparisons of the BiteStrip Bruxism Device and Masseter EMG Bruxism Events" downloaded from Internet Archive of www.quietsleep.com dated January 29, 2005 http://web.archive.org/web/20041124075114/www.quietsleep.com/pdf/Bilateral+Comparisons.pdf .

B48	<p>"The BiteStrip: A Novel Screener for Sleep Bruxism," downloaded from Internet Archive of www.quietsleep.com dated January 29, 2005 http://web.archive.org/web/20041124072922/www.quietsleep.com/pdf/BiteStrip-+Novel+Screener.pdf.</p>
EXAMINER Pm in Cedar	Date Considered 8/17/07
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	

Based on Form PTO-FB-A820
(Also form PTO-1449)

Patent and Trademark Office, U.S. Department of Commerce